

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

LEE A. SIGGERS,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 4:08CV843 AGF
	)	
TROY STEELE,	)	
	)	
Respondent.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on petitioner’s “motion for appointment of counsel or in the alternative for a ninety day extension of time.” The motion will be granted in part and denied in part.

There is no constitutional or statutory right to appointed counsel in civil cases. Nelson v. Redfield Lithograph Printing, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, the Court considers several factors, including (1) whether the petitioner has presented non-frivolous allegations supporting his or her prayer for relief; (2) whether the petitioner will substantially benefit from the appointment of counsel; (3) whether there is a need to further investigate and present the facts related to the petitioner’s allegations; and (4) whether the factual and legal issues presented by the action are complex. See Johnson v. Williams, 788 F.2d 1319, 1322-23 (8th Cir. 1986); Nelson, 728 F.2d at 1005.

After considering these factors, the Court finds that the facts and legal issues involved are not so complicated that the appointment of counsel is warranted at this time. As a result, the Court will deny the motion to the extent that it seeks appointment of counsel.

To the extent that petitioner seeks ninety days to respond to respondent's answer, the Court will grant the motion. Consequently, petitioner shall file his response to respondent's answer no later than November 26, 2008.

Accordingly,

**IT IS HEREBY ORDERED** that petitioner's "motion for appointment of counsel or in the alternative for a ninety day extension of time" [#14] is **GRANTED** in part and **DENIED** in part.

**IT IS FURTHER ORDERED** that the Court will not appoint counsel for petitioner at this time.

**IT IS FURTHER ORDERED** that petitioner shall file his response to respondent's answer **no later than November 26, 2008.**

Dated this 29th day of August, 2008.

  
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AUDREY G. FLEISSIG  
UNITED STATES MAGISTRATE JUDGE